

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 18-8537-JAK (SP)	Date	June 25, 2019
Title	BEATRICE RODRIGUEZ v. ANDREW M. SAUL, Commissioner of Social Security Administration		

Present: The Honorable	Sheri Pym, United States Magistrate Judge		
Kimberly Carter	n/a		n/a
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:		
n/a	n/a		

Proceedings: (In Chambers) Final Order to Show Cause Why Case Should Not Be Dismissed for Failure to Effect Complete Service

On May 3, 2019, the court issued an order granting what was to be a final extension of plaintiff's deadline to file her proof of service to May 17, 2019. The court warned plaintiff that failure to serve defendant by this date would result in the court proceeding with its prior Report and Recommendation recommending that this action be dismissed for failure to prosecute. Plaintiff responded by filing two proofs of service – one for the Social Security Administration's Office of Regional Counsel, and the other for the Office of the Attorney General of the United States.

If service had been proper and complete, defendant would have been required to file its notice of appearance by June 12, 2019. But plaintiff apparently has not served the United States Attorney's Office, and therefore has served only two of the three offices that must be served per Fed. R. Civ. P. 4(i). As recounted in the court's prior orders, the deadline for plaintiff to serve the summons and complaint was January 2, 2019, and plaintiff's failure to do so has caused the action to languish for more than six months. The court has now issued two orders directing plaintiff to complete service, and has also granted multiple extensions of time to allow plaintiff to file her objection to the court's Report and Recommendation and to file her proof of service.

Although the court warned plaintiff in its May 3, 2019 order that its extension of time for plaintiff to file her proof of service was a final deadline, given that plaintiff has made some progress, the court gives plaintiff one final opportunity to complete service. Accordingly, plaintiff is ordered to show cause on or before **July 10, 2019** why the case

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should not be dismissed for failure to fully effect service. The court warns plaintiff that failure to complete service by this deadline will result in the court proceeding with its Report and Recommendation that this action be dismissed for failure to prosecute. Plaintiff may discharge this Order to Show Cause by filing, on or before July 10, 2019, proof of complete service in accordance with Fed. R. Civ. P. 4(i).